

February 14, 2007

Dr. Carol O'Neill Mayhew
Education Associate, Regulation Review
Department of Education
401 Federal Street, Suite 2
Dover, DE 19901

RE: 10 DE Reg. 1202 [Proposed Content Standard Regulations]

Dear Dr. Mayhew:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE) proposal to amend its regulations covering district alignment of curriculum to State content standards. The regulations were published as 10 DE Reg. 1202 in the February 1, 2007 issue of the Register of Regulations. Council has the following observations.

The regulations only cover school districts and not charter schools. See Title and Sections 1.0, 3.0, 4.0, 5.0, 6.0, 7.0, and 8.0. In contrast, other regulations and guidance ostensibly contemplate alignment of charter school curriculum with State content standards. See, e.g., attached excerpt from DOE's Delaware Charter Schools, Frequently Asked Questions (April, 2006):

13) Are charter schools held to the same content standards and accountability requirements as other public schools in the State of Delaware?

Yes. As public schools, charter schools are required to address the state content standards in their instructional programs and administer the same state assessments as all other public schools. Charter schools are held to the same accountability requirements as other public schools.

This view is generally reinforced in other DOE regulations, including 14 DE Admin Code 101, §§1.0 and 2.0 (charter schools participate in DSTP which is an assessment of performance relative to State content standards); 14 DE Admin Code 103, §1.0 (charter schools subject to accountability system); and 14 DE Admin Code 104, §1.0 (charter

schools participate in Delaware Public Education Profile system which includes compilation of achievement results in each content area).

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed regulations.

Sincerely,

Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

cc: The Honorable Valerie Woodruff
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Ms. Martha Toomey
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